

CHAPTER NO. 936

SENATE BILL NO. 3045

By Jackson, Bryson

Substituted for: House Bill No. 2893

By Hensley, Hargett, Marrero

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 4, to authorize the issuance of new specialty earmarked license plates for The Elephant Sanctuary in Tennessee.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

(_) The Elephant Sanctuary in Tennessee;

SECTION 2. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

Section 55-4-2___. (a) Owners or lessees of motor vehicles who are residents of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a "The Elephant Sanctuary in Tennessee" new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain the logo of The Elephant Sanctuary in Tennessee and shall be designed in consultation with the Executive Director of The Elephant Sanctuary of Tennessee.

(c) The funds produced from the sale of such new specialty earmarked license plates shall be allocated to The Elephant Sanctuary in Tennessee in accordance with the provisions of § 55-4-215. Such funds shall be used exclusively to further The Elephant Sanctuary in Tennessee's mission of providing a haven for old, sick or needy elephants and providing education about the crisis facing these endangered creatures.

SECTION 3. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by deleting item (S) in its entirety.

SECTION 4. Tennessee Code Annotated, Section 55-4-307, is amended by deleting the section in its entirety.

SECTION 5. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

(_) NASCAR;

SECTION 6. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following language as a new, appropriately designated section:

Section 55-4-2___. (a) Owners or lessees of motor vehicles who are residents of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a National Association for Stock Car Auto Racing, Inc. (NASCAR) new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain an appropriate design. The design of the plates shall be subject to the approval of NASCAR and shall additionally afford such trademark protection as NASCAR shall require, as otherwise permitted by law.

(c) The department is authorized to design multiple plates for issuance pursuant to this section, provided that the minimum initial issuance and renewal requirements of § 55-4-201(h)(1) shall apply only once to the entire classification of NASCAR plates.

(d)(1) Except as otherwise provided in subdivision (d)(2), the funds produced from the sale of NASCAR new specialty earmarked license plates shall be allocated in accordance with the provisions of § 55-4-215. The percentage of funds allocated pursuant to § 55-4-215(a)(1) from the sale of NASCAR new specialty earmarked license plates shall be distributed in equal shares to:

(A) The Tennessee State Museum Foundation to be used exclusively as recommended by the Tennessee State Museum for the production and procurement of exhibitions and the acquisition of artifacts; and

(B) Speedway Children's Charities in Tennessee in the name of NASCAR and the State of Tennessee.

(2) The funds allocated pursuant to § 55-4-215(a)(2) shall be distributed to the Tennessee State Museum, which is under the supervision of, and administered by, the Tennessee Arts Commission pursuant to § 4-12-101.

SECTION 7. (a) For the purposes of complying with § 55-4-201(h)(1), the NASCAR plates authorized by this act are hereby designated as a new legislative enactment and shall have one (1) year from the effective date of this act or until July 1, 2005, whichever is later, to meet the minimum initial issuance requirements of § 55-4-201(h)(1).

(b) The provisions of § 55-4-201(f) shall not apply to the NASCAR plates authorized by this act or Chapter No. 417 of the Public Acts of 2003.

SECTION 8. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 9. Notwithstanding any provision of law to the contrary, the "Driving To A Cure" new specialty earmarked license plates authorized for issuance by Tennessee Code Annotated, Section 55-4-304, shall have until July 1, 2005, to meet applicable initial issuance requirements.

SECTION 10. Sections 3, 4 and 8 of this act shall take effect upon becoming a law, the public welfare requiring it. All other sections of this act shall take effect July 1, 2004, the public welfare requiring it.

PASSED: May 20, 2004


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this day of 2003

PHIL BREDESEN, GOVERNOR

Pursuant to Article III, Section 18, of the Constitution of the State of Tennessee, the Governor had Senate Bill No. 3045 in his possession longer than ten (10) days; therefore, the bill becomes law without the Governor's signature.